

SOUTHERN DISTRICT OF NEW YORK

AMANCIO ORTEGA, on behalf of himself and
others similarly situated,

Plaintiff,

v.

250 EAST 58TH STREET FOOD CORP. d/b/a
MOONSTRUCK DINER, 449 RESTAURANT,
INC. d/b/a MOONSTRUCK EAST, 400 WEST
23RD STREET RESTAURANT CORP. d/b/a
MOONSTRUCK DINER, 88 2ND AVE. FOOD
CORP. d/b/a MOONSTRUCK ON 2ND, and
JOHN KAPETANOS,

DEFENDANTS.

Civil Action No. 12-1034 (GBD)(JLC)

STIPULATION OF DISMISSAL

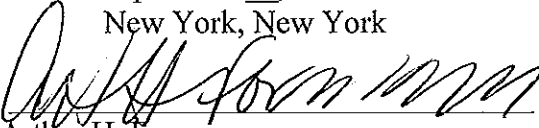
IT IS HEREBY STIPULATED that this action has been discontinued and is hereby
dismissed with prejudice, without costs to any party against any other. This Stipulation may be
filed with the Court without further notice to any party.

Date: September 17, 2013
New York, New York

/s/Josef Nussbaum/
D. Maimon Kirschenbaum
Josef Nussbaum
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Attorneys for Plaintiff

Date: September 17, 2013
New York, New York


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